

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

LILLIAN BERNIER,

Plaintiff,

v.

TURBOCAM, INC.,

Defendant.

Civil Action No. 1:23-cv-00523-LM-AJ

**DECLARATION OF CHRIS ERCHULL, ESQ.
IN SUPPORT OF PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

I, Chris Erchull, Esq., declare as follows:

I am a Senior Staff Attorney for GLBTQ Legal Advocates and Defenders and am co-counsel for Plaintiff Lillian Bernier in this case. I am an active member of the New Hampshire bar. I make this declaration in support of Plaintiff Lillian Bernier’s Motion for Summary Judgment.

1. Attached as Exhibit 1 is a true and correct copy of the declaration of Lillian Bernier.
2. Attached as Exhibit 2 is a true and correct excerpt of the deposition transcript of Marian Noronha.
3. Attached as Exhibit 3 is a true and correct copy of the declaration of Randi Ettner, Ph.D.
4. Attached as Exhibit 4 is a true and correct excerpt of the deposition transcript of Peter Hanson.
5. Attached as Exhibit 5 is a true and correct copy of defendant Turbocam, Inc.’s objections to Plaintiff’s 30(b)(6) deposition topics.

6. Attached as Exhibit 6 are excerpted pages from a true and correct copy of the Harvard Pilgrim Health Plans Benefit Handbook for the Best Buy HSA PPO Plan, New Hampshire Employer Group Plan, effective January 1, 2020.

7. Attached as Exhibit 7 is a true and correct excerpt of the deposition transcript of Darika Marino.

8. Attached as Exhibit 8 are excerpted pages from a true and correct copy of the Turbocam, Inc. Employee Group Medical Plan (H.S.A PPO Plan), effective January 1, 2021.

9. Attached as Exhibit 9 is a true and correct copy of the “Our History” page of HPI’s public website, available at <https://hpitpa.com/about-us/our-history> (last accessed Jul. 14, 2025).

10. Attached as Exhibit 10 is a true and correct copy of Defendant Turbocam, Inc.’s answers to Plaintiff Lillian Bernier’s First Set of Interrogatories.

11. Attached as Exhibit 11 is a true and correct copy of the declaration of Dianne Oldach.

12. Attached as Exhibit 12 are true and correct copies of the 2025 HPI coverage criteria for three treatments: Vaginoplasty for Gender Affirmation Surgery, Orchiectomy for Gender Affirmation Surgery, and Breast Augmentation for Gender Affirmation Surgery. These documents have been filed under seal, and a motion to seal is forthcoming.

13. Attached as Exhibit 13 is a true and correct copy of a March 15, 2021, email from Julie Oakley to Peter Hanson.

14. Attached as Exhibit 14 is a true and correct copy of a March 15, 2021, email from Julie Oakley to Peter Hanson and Darika Marino.

15. Attached as Exhibit 15 is a true and correct copy of an October 21, 2021, email from Lillian Bernier to Peter Hanson.

16. Attached as Exhibit 16 is a true and correct copy of an October 25, 2021, email from Peter Hanson to Lillian Bernier.

17. Attached as Exhibit 17 is a true and correct copy of a November 17, 2021, email from Lillian Bernier to Maya Jiman.

18. Attached as Exhibit 18 is a true and correct copy of a December 6, 2021, email exchange between Lillian Bernier and Peter Hanson.

19. Attached as Exhibit 19 is a true and correct copy of a March 29, 2022, email from Darika Marino to Lillian Bernier.

20. Attached as Exhibit 20 is a true and correct copy of an April 13, 2022, email from Peter Hanson to Marian Noronha, Doug Patteson, and Darika Marino.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Date: July 31, 2025

/s/ Chris Erchull
Chris Erchull